

REMARKS

Claims 1-25 are pending and have been examined. Claims 1-6, 9-19, and 22-25 have been rejected and Claims 7, 8, 20, and 21 have been objected to as depending from a rejected base claim. The indication of allowability of Claims 7, 8, 20, and 21 is noted with appreciation. To expedite the issuance of a patent directed to the subject matter indicated as allowable, Claims 1, 10, 15, and 25 have been amended to recite that the biocompatible polymer scaffold comprises silicone rubber; Claims 3, 5-8, and 18-21 have been canceled; and Claims 26-29 have been added. Claims 26-29 are independent claims that correspond to Claims 1, 10, 15, and 25, respectively, and recite that the biocompatible polymer scaffold comprises collagen.

In view of the amendment of Claims 1, 10, 15, and 25, reconsideration and allowance of Claims 1, 2, 4, 9-17, and 22-29 is requested.

Objections to the Specification

The Office Action has identified two objections to the specification.

The Examiner has objected to the Abstract as not being on a separate sheet. Applicants submit that the Abstract for this application is proper because, as set forth in the Office Action on page 4, paragraph (k), this application is a U.S. national phase entry based on an international application entering the national stage pursuant to Section 371 and, therefore, a separate Abstract is not required.

The Examiner has also objected to the specification as lacking a Brief Description of the Drawings. The drawing description is set forth at page 3, lines 11-21 of the specification as originally filed.

Because the Abstract need not be on a separate sheet and because the specification as originally filed included a drawing description, withdrawal of the objections to the specification is requested.

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The Rejection of Claims 1-6, 9-19, and 22-25 Under 35 U.S.C. § 102(b)

Claims 1-6, 9-19, and 22-25 have been rejected under 35 U.S.C. § 102(b) as being anticipated by WO 01/05333 (Zilla). Withdrawal of the rejection is requested for the following reason.

Claims 1, 10, 15, and 25 have been amended to recite that the biocompatible polymer scaffold comprises silicone rubber, subject matter that the Examiner has indicated to be allowable. Claims 2-6 and 9 depend from Claim 1, Claims 11-14 depend from Claim 10, and Claims 16-19 and 22-24 depend from Claim 15. Claims 3, 5, 6, 18, and 19 have been canceled.

In view of the amendment of Claims 1, 10, 15, and 25, withdrawal of the rejection is requested.

New Claims 26-29

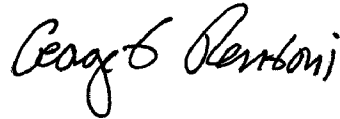
Claims 26-29 have been added. Claims 26-29 are independent claims that correspond to Claims 1, 10, 15, and 25, respectively, and recite that the biocompatible polymer scaffold comprises collagen, subject matter that the Examiner has indicated as allowable. Support for Claims 26-29 can be found throughout the specification as originally filed,. See, for example, original Claims 8 and 21.

CONCLUSION

In view of the above amendments and foregoing remarks, applicants believe that Claims 1, 2, 4, 9-17, and 22-29 are in condition for allowance. If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone applicants attorney at 206.695.1755.

Respectfully submitted,

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